

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**FILED**JUL 24 2007 CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST LOUIS OFFICE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN GREEN,

Defendant.

CRIMINAL NO. 07-M-6062 CJP

ORDER SETTING CONDITIONS  
OF RELEASE

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the U. S. Pretrial Services Agency in writing, of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear

**Release on Personal Recognizance or Unsecured Bond**

IT IS FURTHER ORDERED that the defendant be released provided that:

- (X) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (X) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of **One Hundred Thousand Dollars (\$100,000.00)** in the event of a failure to appear as required or violation of any of the other conditions set forth in this order, or to surrender as directed for service of any sentence imposed.

Copies to: Defendant  
Defendant's Attorney  
U.S. Marshal  
U.S. Attorney  
U.S. Probation

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City, State and Zip) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

(X) (7) The defendant shall:

( ) (a) maintain or actively seek employment

( ) (b) maintain or commence an educational program.

(X) (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Southern District of Illinois for court appearances and to meet with his attorney(s) and Eastern District of Missouri (and points in between for traveling to and from Court)

(X) (d) avoid all contact, either directly or indirectly, with any persons, who are considered defendants, victims or potential witnesses.

(X) (e) report to the U.S. Probation Office as directed.

(X) (f) comply with the following curfew: home detention

(X) (g) not possess any firearms, weapons, destructive devices, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol.

( ) (i) refrain from any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. Section 802 unless prescribed by a licensed medical practitioner.

( ) (j) undergo medical or psychiatric treatment and/or remain in an institution, as follows:

(X) (k) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \$100,000.00 own recognizance

( ) (l) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:

( ) (m) execute a bail bond with solvent sureties in the amount of \$

( ) (n) return to custody each (week)day as of \_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s):

( ) (o) surrender any passport to US Probation if applicable

(X) (p) obtain no passport.

( ) (q) submit to drug testing, treatment and/or evaluation for the same as directed by the supervising officer.

( ) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the supervising officer.

( ) (s) Report immediately any contact with law enforcement.

(X) (t) Defendant is placed on home detention with electronic monitoring Defendant shall pay the cost of electronic monitoring.

(X) (u) Defendant will not access the internet by any means whatsoever while on bond. Internet service is not permitted in the home defendant will reside in while on bond.

**Advice of Penalties and Sanctions**

Violations of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. § 3148, and a prosecution for contempt as provided in 18 U.S.C. § 401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. § 1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. § 1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. § 1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. § 1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. § 3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

**Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



Signature of Defendant

2936 Bark Valley Dr

Address 636-928-9425

St Peters Mo 63376

City and State Zip Telephone

**Directions to United States Marshal**

(mother's address &amp; phone #)

- (x) The defendant is ORDERED released after processing.
- ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 7-24-07

  
JUDICIAL OFFICER